

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUIS ALVAREZ HURTADO,

Plaintiff,

v.

JOHN DOE SANCHEZ, *et al*,

Defendants.

Case No. C07-5554BHS-KLS

REPORT AND
RECOMMENDATION

Noted for March 7, 2008

Plaintiff is an immigration detainee currently being detained at the Northwest Detention Center (“NWDC”), which is a federal immigration detention facility located in Tacoma, Washington. This matter is before the Court on plaintiff’s failure to respond to, and thus comply with, the undersigned’s order to show cause. (Dkt. #7). After reviewing the record, the undersigned submits the following report and recommendation, recommending the Court dismiss this action for failure to respond to the Court’s order to show cause.

DISCUSSION

On November 29, 2007, the undersigned issued an order to show cause, informing plaintiff that his complaint would not be served due to a number of deficiencies contained therein. Plaintiff was ordered to file an amended complaint curing, if possible, the deficiencies noted in the order to show cause, by no later than December 29, 2007, or show cause why this matter should not be dismissed. To date, however, plaintiff not filed any response to the order to show cause.

CONCLUSION

Because plaintiff has failed to respond to the undersigned's order to show cause (Dkt. #7), and because his complaint remains deficient for the reasons set forth therein, the Court should dismiss this case with prejudice.

Pursuant to 28 U.S.C. § 636(b)(1) and Federal Rules of Civil Procedure ("Fed. R. Civ. P.") 72(b), the parties shall have ten (10) days from service of this Report and Recommendation to file written objections thereto. See also Fed.R.Civ.P. 6. Failure to file objections will result in a waiver of those objections for purposes of appeal. Thomas v. Arn, 474 U.S. 140 (1985). Accommodating the time limit imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set this matter for consideration on **March 7, 2008**, as noted in the caption.

DATED this 11th day of February, 2008.



Karen L. Strombom
United States Magistrate Judge